

EXHIBIT 13

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION MDL No. 2804
Case No. 17-md-2804

This document relates to: Judge Dan
Aaron Polster

The County of Cuyahoga v. Purdue Pharma, L.P., et al.
Case No. 17-OP-45005

City of Cleveland, Ohio vs. Purdue Pharma, L.P., et al.
Case No. 18-OP-45132

The County of Summit, Ohio,
et al. v. Purdue Pharma, L.P.,
et al.
Case No. 18-OP-45090

Videotaped 30(b)(6) Deposition of the
Drug Enforcement Administration
through the testimony of Stacy Harper-Avilla
Washington, D.C.

April 11, 2019
9:16 a.m.

Reported by: Bonnie L. Russo
Job No. 3282688

1 A. In summary, it is the maximum amount
2 that the United States actually needs for its
3 domestic needs, for legitimate, medical,
4 scientific, research needs, exportation needs
5 and inventory allowances.

6 Q. Okay. Does DEA determine what that
7 number is on an annual basis?

8 MR. CHANDLER: Objection. Vague.
9 You can answer.

10 THE WITNESS: I don't understand the
11 question.

12 BY MR. O'CONNOR:

13 Q. Is DEA responsible for determining
14 the aggregate production quota?

15 A. DEA is the agency that publishes it,
16 but we work in concert with other agencies.

17 Q. Okay. What other agencies do you
18 work with?

19 A. FDA.

20 Q. Any other agencies?

21 A. When necessary, yes.

22 Q. What would those other agencies be?

23 A. Those within the bounds of DOJ and
24 HHS.

25 Q. When you work with FDA in connection

1 A. Yes.

2 Q. Do any others come to mind after we
3 just reviewed five? Oxymorphone, for example?

4 A. Correct.

5 Q. Oxy -- I will leave it at that.

6 Now, Mr. O'Connor asked you several
7 questions about the information DEA considers
8 in setting the aggregate production quota.

9 Do you remember that testimony
10 today?

11 A. Yes.

12 Q. You testified that DEA sets each of
13 these quotas annually, correct?

14 A. Correct.

15 Q. Now, do wholesale manufacturers such
16 as McKesson, Cardinal and AmerisourceBergen
17 provide any information to DEA that is used to
18 set those quotas?

19 MR. ELSNER: Objection.

20 THE WITNESS: Quotas are not related
21 to distributors, so no.

22 BY MR. EPPICH:

23 Q. And pharmacy chains, such as CVS,
24 Walgreens, Rite Aid, Walmart, Giant Eagle, HBC,
25 they also don't provide any information to DEA

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1 that is used to set the quotas, correct?

2 MR. ELSNER: Objection.

3 MR. CHANDLER: Objection.

4 THE WITNESS: The list of companies
5 you just provided do not receive quota and
6 therefore, are not considered for aggregate
7 production quotas.

8 BY MR. EPPICH:

9 Q. DEA does not consult with wholesale
10 distributors, such as McKesson, Cardinal and
11 AmerisourceBergen when DEA sets the quotas for
12 controlled substances, correct?

13 A. Correct.

14 Q. And DEA does not consult with
15 pharmacy chains, such as CVS, Walgreens, Rite
16 Aid, Walmart, Giant Eagle, HBC, when DEA sets
17 quotas for controlled substances?

18 A. Correct.

19 MR. CHANDLER: Objection.

20 BY MR. EPPICH:

21 Q. Wholesale distributors, such as
22 McKesson, Cardinal, AmerisourceBergen, they do
23 not apply for DEA -- to DEA for quotas, do
24 they?

25 MR. CHANDLER: Objection.

1 THE WITNESS: Correct.

2 BY MR. EPPICH:

3 Q. And pharmacy chains, such as CVS,
4 Walgreens, Rite Aid, Walmart, Giant Eagle, HBC,
5 they also do not apply to DEA for quotas,
6 correct?

7 MR. CHANDLER: Objection. Scope.

8 MR. ELSNER: Objection.

9 THE WITNESS: Correct.

10 BY MR. EPPICH:

11 Q. Now, DEA is required by law to
12 establish aggregate production quotas for
13 certain controlled substances, correct?

14 A. Correct.

15 Q. There are a number of statutes and
16 regulations that govern the process DEA must
17 follow and the considerations DEA must consider
18 in establishing quotas for controlled
19 substances?

20 MR. CHANDLER: Objection.

21 THE WITNESS: Correct.

22 BY MR. EPPICH:

23 Q. And DEA endeavors to comply with
24 these statutes and regulations governing the
25 establishment of quotas for controlled